

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION**

**KENNETH J. JARMAN,**

**Plaintiff,**

**v.**

**ALLTRAN FINANCIAL, LP,**

**Defendant.**

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**Case No. 5:21-1294**

**NOTICE OF REMOVAL**

Pursuant to 28 U.S.C. §§ 1331, 1441, and 1446, defendant, Alltran Financial, LP (Alltran), hereby removes the above captioned civil action from the County Court at Law No. 10 of Bexar County, Texas to the United States District Court for the Western District of Texas. The removal of this civil action is proper because:

1. Alltran is a defendant in a civil action filed by plaintiff, Kenneth J. Jarman (“plaintiff”), in the County Court at Law No. 10 of Bexar County, Texas, captioned as *Kenneth J. Jarman v. Alltran Financial, LP*, Case No. 2021CV04070 (hereinafter the “State Court Action”). Alltran consents to removal and there are no other defendants in this matter.

2. Pursuant to 28 U.S.C. §§ 1331, 1441 and 1446, Alltran removes the State Court Action to this Court, which is the federal judicial district in which the State Court Action is pending.

3. The Petition in the State Court Action asserts claims under the federal Fair Debt Collection Practices Act (FDCPA), 15 U.S.C. § 1692, *et seq.* A true and correct copy

of Plaintiff's Original Petition and a copy of the complete record for the State Court Action is attached hereto as **Exhibit A**.

4. Removal of the State Court Action is proper under 28 U.S.C. § 1441. If the action had originally been brought in this Court, this Court would have original, federal question jurisdiction over plaintiff's FDCPA claims pursuant to 28 U.S.C. § 1331 and would have supplemental jurisdiction over any state law claims that plaintiff may intend to assert, although none is expressly stated in Plaintiff's Original Petition.

5. The County Court at Law No. 10 of Bexar County, Texas, is located within the Western District of Texas. Therefore, venue for purposes of removal is proper because the United States District Court for the Western District of Texas embraces the place in which the removed action was pending. *See* 28 U.S.C. § 1441(a).

6. Pursuant to 28 U.S.C. § 1446(b), defendant has timely filed this Notice of Removal. Alltran was served with process on December 3, 2021. This Notice of Removal is being filed within 30 days from service of the Citation and Petition.

7. A copy of this Notice of Removal is being served upon plaintiff and filed concurrently with the County Court at Law No. 10 of Bexar County, Texas.

WHEREFORE, Defendant, Alltran Financial, LP, hereby removes the State Court Action to this Honorable Court.

Respectfully Submitted,

/s/ Charles R. Penot, Jr.

Charles R. Penot, Jr.

TX Bar No. 24062455

SESSIONS, ISRAEL & SHARTLE, LLC

900 Jackson Street, Suite 440

Dallas, Texas 75202

Telephone: (214) 741-3009  
Facsimile: (214) 741-3098  
Email: cpenot@sessions.legal

Dayle M. Van Hoose  
SESSIONS, ISRAEL & SHARTLE, LLC  
3350 Buschwood Park Drive, Suite 195  
Tampa, FL 33618  
Telephone: (813) 890-2460  
Facsimile: (877) 334-0661  
Email: dvanhoose@sessions.legal

*Attorneys for Defendant,  
Alltran Financial, LP*

**CERTIFICATE OF SERVICE**

I hereby certify that on December 30, 2021, a copy of the foregoing was electronically filed with the Clerk of the Court, United States District Court for the Western District of Texas, and served via Email upon the following:

Michael J. Zimprich  
The Law Offices of Michael J. Zimprich, PLLC  
7001 Westwind Drive, Suite 205  
El Paso, Texas 79912  
Telephone (915) 201-4944  
Facsimile: (915) 613-2881  
Email: mjzimp@mjzlaw-ep.com  
*Attorney for Plaintiff*

/s/ Charles R. Penot, Jr.  
Charles R. Penot, Jr.